

IN THE CLAIMS:

Please cancel claims 1 and 2 without prejudice or disclaimer of the subject matter contained therein. Please add the following new claims.

NEW CLAIMS

3. A pizza dough retaining sheet, comprising: a flat sheet of plastic having, a non-circular shape, with no side edges, a plurality of embossed portions, each embossed portion including a plurality of raised surfaces adapted to engage a portion of pizza dough so as to retain the engaged dough in a non-circular shape.
4. The retaining sheet of claim wherein said non-circular sheet is approximately rectangular.
5. A product comprising: a sheet of non-circular plastic including, first means for engaging a first surface of pizza dough, second means for engaging a first surface of pizza dough, wherein said first and second means are positioned with respect to one another on such sheet so as to retain the pizza dough in a non-circular shape.

REMARKS

Claims 3 to 5 are now in this application. Claims 1 and 2 have been cancelled without prejudice or disclaimer of the subject matter contained therein. The Examiner rejected claims 1 and 2 under 35 U.S.C. Sect. 112, second paragraph as being improperly directed to an apparatus. While the applicant in no way conceded the correctness of the Examiner's assertion that an apparatus claim must be directed to something with moving parts, the issue is moot because claims 1 and 2 have been replaced by new claims 3 to 5 which are directed to items that would constitute products.

The Examiner rejected the original claims in view of three pieces of prior art: U.S. Patent No. 4,000,352 to Hollenbeck et al. ; U.S. Patent No. 3,832,267 to Liu; U. S. Patent No. 3,484,835 to Trounstone et al.; and U.S. Patent No. 2,285,335 to Hurt. It is respectfully submitted that none of these references anticipate or render obvious claims 3 to 5. More specifically none of the references have anything to do with a product that deals with a food product like pizza dough